

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CARL D. SIMPSON AND BONNIE REED
SIMPSON, CO-ADMINISTRATORS OF
THE ESTATE OF CARL D. SIMPSON,

ORIGINAL

Plaintiffs,

vs.

Case No. C-1-00014

INTERMET CORPORATION, ET AL.,

Defendants.

DEPOSITION OF THOMAS STAPLETON

The deposition of Thomas Stapleton, was taken on
July 14, 2003, at the approximate hour of 9:30 a.m., at 215
South Fourth Street, Ironton, Ohio.

ELITE COURT REPORTING
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Also present: Bonnie Reed Simpson

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1 A. Okay. There was a man by the name of Pat Virgin,
2 Roger Ramey. The head man over manufacturing was a man by
3 the name of Billy Vickers.

4 Q. He was the head over the Sutter area or higher up
5 than that?

6 A. No. He was over the plant.

7 Q. Would he have been working like Scott Bleeks was
8 working towards the end, kind of the general manager at the
9 plant.

10 A. What?

11 Q. This fellow, Billy Vickers, I'm trying to figure
12 out what his position was.

13 A. He was the manufacturing manager. He was over
14 all of the production, yeah.

15 Q. So you had Loman, Virgin, and Ramey. Do you
16 recall any other foremen?

17 A. No. I can't think of their names.

18 Q. Did you work as both an operator and helper?

19 A. Yes. I started out as a helper. Then I took an
20 operator position.

21 Q. You went through the training course, the
22 certification, on the Sutters at some point in there?

23 A. More or less, they put you with an experienced
24 operator. You did have safety meetings. They would

1 express to you to lock out.

2 Q. Who was the operator that helped train you?

3 A. Lawrence Humphreys.

4 Q. Was he still working there when the plant closed?

5 A. Yes.

6 Q. Still with the Sutters?

7 A. No. He wasn't on the Sutters then. He had taken
8 another position.

9 Q. Were you ever injured, in any way, while working
10 on the Sutters?

11 A. No.

12 Q. Do you remember Mr. Simpson working on the
13 Sutters?

14 A. Yes.

15 Q. Did you ever work with him?

16 A. Yes.

17 Q. How often did that occur?

18 A. Every day.

19 MR. LAMBERT: Working with him may be
20 later on.

21 MR. BARTY: Yeah. I'll explore that.

22 Q. You said you had worked with him every day. Does
23 that mean you were on the same shift with him?

24 A. Yes.

1 Q. Those procedures were, as you said, to lock out
2 all of the power sources?

3 A. Right.

4 Q. By locking out the power sources, that would turn
5 all the power off to the machine?

6 A. Yes.

7 Q. Then you would put a lock of some kind on those
8 switches so they couldn't be reopened?

9 A. Yes.

10 Q. Did you ever go inside a machine that had the
11 power running?

12 A. I have reached in, to a certain extent. I used
13 caution. To be honest, I reached in to a certain extent to
14 get a sticker out, because it took a long time to lock
15 them.

16 Q. Did you ever put your head inside a machine when
17 it was running?

18 A. No.

19 Q. Is that something that you saw as too dangerous?

20 A. Oh, yeah.

21 Q. So you would, sometimes, stick a hand in there?

22 A. I have stuck a hand in there. I usually used a
23 big, long screwdriver, as long as I could get, you know...

24 Q. And you knew that was wrong when you did it?

1 A. Yes, I did.

2 Q. You knew it was dangerous?

3 A. But I also knew that the supervisor would run
4 around and holler, hey, I'm out of molds, what's going on.

5 Q. So you chose to do that rather than have somebody
6 ask you why you weren't getting molds out?

7 A. Right. Yes, I did.

8 Q. Did any supervisor ever tell you to do it that
9 way, tell you to go ahead and get the sticker out without
10 turning the power off?

11 A. No.

12 Q. Walk us through the procedure. Suppose you get a
13 sticker. Tell me how you, most of the time, took care of
14 that. Let's say it's a sticker that is toward the back of
15 the cope.

16 A. Okay. That's where it's located?

17 Q. Yeah.

18 A. It all depends on where it was located.

19 Q. Let's assume for the moment that it was toward
20 the rear or far end of the cope.

21 A. Okay. In the cope?

22 Q. Yes. Take me from beginning to end, how you
23 would take care of that. When you noticed a mold that came
24 out that was imperfect, that told you that you had a

1 sticker back there. If you were the operator, what would
2 you do?

3 A. Okay. What you have to do is go to your control
4 panel, first of all, and hit a toplock button.

5 Q. What would happen when you hit that button?

6 A. Okay. There was a piece back there that was on
7 top of the machine. It was like a flange. It laid back.
8 All right? When you pushed that button, it would flop up
9 and it would catch that gas head. It would go up under the
10 gas head. All right? Then you went ahead and stripped
11 your machine down. You went back to your control panel and
12 stripped your machine down to the position you wanted it.

13 Q. Remember, you're talking to a bunch of lawyers
14 here. None of us have run that machine. By stripping it
15 down, what do you mean -- tell us -- describe what happens.

16 A. Okay. When you strip it down -- you've got your
17 drag and you've got your cope that goes together.

18 Q. Right.

19 A. Okay. What you're doing -- you have got strip
20 legs on the bottom of your machine, on the box, on the
21 pattern.

22 Q. That are powered by some kind of cylinder?

23 A. Air.

24 Q. All right.

1 A. Well, air and hydraulics. Okay? What it does --
2 your strip legs will lift your cope up off your drag.
3 Okay. Now, if your sticker is in your cope, what you have
4 to do is go to your control panel, top lock it. Then go
5 back to the control panel and strip it down. Then you go
6 and you turn off all of your power sources. You've got an
7 air valve. You've got hydraulics. You've got electricity.

8 Q. They are all located, more or less, together,
9 along the side of the machine?

10 A. All right beside of the machine.

11 Q. Okay.

12 A. Okay. When you do that, you throw a padlock on
13 it. Then you crawl back in the machine. The cope has got
14 holes in the top of it. You get back there with a chisel
15 or a screwdriver and hammer and you peck on it until you
16 think you got it out. All right?

17 Then, after you do that, you go back and you have
18 to take all of your pad locks back off and turn your power
19 back on. Then you have to go plumb out to the front of
20 your machine. Here I am back here (indicating).

21 Q. You're back by the operator panel, the control
22 panel?

23 A. Right.

24 Q. You have to go to the other end of the machine?